

## REMARKS

Claims 1-7, 10-12 and 18-21 are pending in this application.

Claims 1, 5, 6-7, 10, 18-21 have been amended to clarify the subject matter regarded as the invention. Claims 1-7, 10-12 and 18-21 remain pending.

Claims 1-7, 10-12 and 18-21 are rejected under 35 § 103(a) as being unpatentable over Banavar et al. (U.S. 6,336,119) in view of Calvert et al., entitled "Core Selection Methods for Multicast Routing". Claims 1-7, 10-12 and 18-21 are rejected under 35 § 103(a) as being unpatentable over Banavar et al. (U.S. 6,336,119) in view of Chen et al. (U.S. 5,831,975).

The rejection is respectfully traversed. With respect to claim 1, neither Banavar et al. nor Calvert et al. nor Chen et al. teaches or suggests, either singly or in combination, "constructing a data topology associated with the set of clients based on performance information associated with the set of clients". As such, claim 1 is believed to be allowable.

Claims 2 – 4 depend from claim 1 and are believed to be allowable for the same reasons described above.


Claims 5 – 7, 10, 18 – 21 are similarly amended as claim 1. As such, claims 5 – 7, 10, 18 – 21 are believed to be allowable for the same reasons described above. Furthermore, claims 11 – 12 depend from claim 10 and are believed to be allowable for the same reasons.

Reconsideration of the application and allowance of all claims are respectfully requested based on the preceding remarks. If at any time the Examiner believes that an interview would be helpful, please contact the undersigned.

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Respectfully submitted,

  
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